

SENATOR MERZ: Thank you, Senator George. I want to support your amendment and I think we should stop to realize about one or two cases of cancer would cost us more than what this bill would cost to get this tests, so I do want to support it.

PRESIDENT: Senator Schmit.

SENATOR SCHMIT: Mr. President, members of the Legislature, I would like to ask Senator Warner a question if he is here. Senator Warner, is it normal procedure for an agency such as this to bill the industry they investigate or check in this kind of business or are the responsibilities of the Department of Health generally assumed to be to protect the health and welfare of the State of Nebraska in a broad general responsibility and therefore not charged directly back to an industry?

SENATOR WARNER: Senator Schmit, there will be a variety of examples of either situation. There's a number of inspections that are done under the broad category of the Public Health and Welfare in which either an inspection fee is charged or some sort of charge at least to the agency that is required to have the inspection. Now there are other instances where inspections are done and I guess the assumption is that it's not possible or difficult to charge back the agency and under those circumstances it would be done out of general fund money so there are examples of either and I guess it's a judgement decision. In some cases I'm sure it's impossible to make the charge back appropriately. In other instances where you can readily identify such as an inspection of certain construction of homes, modular homes, I believe it is or mobile homes. There the fee is charged for the inspection although it's done for the benefit of the public welfare, under that broad category.

SENATOR SCHMIT: In either case the people of the State of Nebraska are going to pay the bill one way since we have public power in the state. They are going to pay it through higher electricity rates or else through the general fund. Is that right?

SENATOR WARNER: Yes, in a broad sense that is true. I suppose that without regard to this particular issue I personally prefer where you can charge for the inspection for the reason that usually you can keep cost accountability a little bit better that way sometimes than if it's solely general funded because the people who are being charged also have an interest in the operation of that inspection activity.

SENATOR SCHMIT: Okay. Thank you very much.

PRESIDENT: Senator Duis.

SENATOR DUIS: Mr. President, I would like to visit with Senator George if I might for just a moment. Senator George, the fact that I am Chairman of the Administrative Rules and Regulations Committee has given me some thought in regard to what may be taking place with your amendment and I would like to be able to and possibly this noon visit with a member of the Radiology Board. We're having a problem at the present time with the State Health Department in regard to rules and regulations of the Radiological Department, the one that you are getting with here and they apparently have made some deletions in their rules and regulations without going through the normal process. Yesterday was the last time I visited with